

STATE OF NEW YORK  
SUPREME COURT

COUNTY OF ESSEX

LEWIS FAMILY FARM, INC.,

Plaintiff,

- vs -

NEW YORK STATE ADIRONDACK PARK AGENCY,

Defendant.

**AFFIDAVIT OF SALIM  
B. LEWIS**

Index No. 000498-07

STATE OF NEW YORK            )  
  ) ss.:  
COUNTY OF ESSEX            )

**Salim B. Lewis**, being duly sworn, deposes and says:

1. I am a shareholder of the Lewis Family Farm, Inc. ("Lewis Farm"), the plaintiff in the above captioned action. I have personal knowledge of the facts stated herein or, where indicated, to be upon information and belief, believe such facts to be true.

2. I offer this affidavit in further support of the Lewis Farm's motion for a temporary restraining order and preliminary injunction, and in opposition to Defendant New York State Adirondack Park Agency's ("APA") motion to dismiss.

3. Since 1978, the Lewis Farm has had the vision of becoming the premier organic farm in New York State. Today's Lewis Farm, I am told, offers a standard to which farms in the region and the nation may aspire.

4. The Lewis Farm started with a few acres around our residence, and now encompasses approximately 1,200 contiguous acres.

5. Among the Lewis Farm's missions, we wish to create and maintain the sustainable USDA certified, National Organic Program organic agriculture model in Essex

County by producing high quality organic food and breeding that will compete in domestic and international markets.

6. To accomplish this goal, the Lewis Farm has invested in modern agricultural equipment, practices and in the people who will perfect these strategies. The Lewis Farm seeks to employ highly educated individuals, increasingly expert in organic farming, people that can propel the Lewis Farm forward, making it the most modern and innovative organic farm in New York State.

7. We are told the Lewis Farm is important to the agricultural economy of Essex County, and to the agricultural future of the region, because it serves as a model that helps other farmers in the region and throughout the state to see that organic farming is profitable and sustainable.

8. The Lewis Farm has progressed from a small, simple, money-losing hay operation, spraying insecticide and herbicide, to a growing, entirely organic, increasingly bio-dynamic and holistic farm that produces and sells grains, hay, and forage crops, and breeds and raises grass-fed, grass-finished beef from a registered organic herd of national importance.

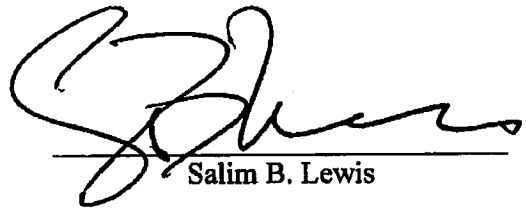
9. We regularly offer local residents, government officials, and other representatives of the organic and environmental communities tours of the Lewis Farm. The purpose of these tours is to educate. Our neighbors, government officials and others learn about organic initiatives and products at the Farm. These tours showcase the culture of cleanliness and commitment among the Lewis Farm employees, giving farm staff the opportunity to show and tell.

10. Several years ago we invited John Banta, Richard Lefebvre, and Mark Sengenberger, among others from the APA, to tour the Lewis farm. The purpose of the tour was to educate.

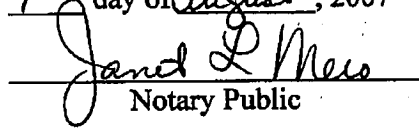
11. During this tour, I drove Messrs. Banta, Lefebvre, and Sengenberger around the Lewis Farm. I showed the Lewis Farm, explained its history and growth, described its organic initiatives, and showcased the high quality work performed by our employees.

12. The sole purpose of the tour was to educate Messrs. Banta, Lefebvre, and Sengenberger. At no time did I seek their legal opinion regarding any aspect of our operation.

13. When I gave Messrs. Banta, Lefebvre, and Sengenberger a tour of the Lewis Farm, the Lewis Farm had not yet decided to build onsite employee housing, and I did not discuss with Messrs. Banta, Lefebvre, and Sengenberger whether or not such housing would be subject to the APA's permitting authority, nor am I aware that they said it would not be. I do not recall any such discussion.

  
Salim B. Lewis

Sworn to before me this  
7<sup>th</sup> day of August, 2007

  
Notary Public

JANET L. MERO  
NOTARY PUBLIC STATE OF NEW YORK  
NO. 2665400  
QUALIFIED IN ESSEX COUNTY 7/30/07  
COMM. EXPIRES

ORDERS

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